

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

UNITED STATES OF AMERICA                     )  
   )  
                          vs.                             ) CAUSE NO. 3:08-CR-00009(01) RM  
   )  
LARRY HARDIN                                     )

OPINION AND ORDER

This matter is before the court on Larry Hardin's motion for reduction of sentence under 18 U.S.C. § 3582(c)(2) (doc. # 84). It appears that Mr. Hardin seeks a reduction pursuant to the crack cocaine amendments. Mr. Hardin was sentenced on October 24, 2008 to 188 months' imprisonment for distributing more than five grams of cocaine base and to 120 months' imprisonment for possession of a firearm as a felon, with the sentences to run concurrently.

Mr. Hardin isn't entitled to a reduction in sentence pursuant to the retroactive amendments to the crack cocaine guidelines. The recommended sentencing range for Mr. Hardin wasn't based on drug quantities, but on Mr. Hardin's status as a career offender. Further, the crack cocaine amendments took effect before Mr. Hardin's sentencing, so his sentence was imposed taking the crack cocaine amendments into consideration. Accordingly, the court DENIES Mr. Hardin's request for a modified sentence under the crack cocaine amendments.

SO ORDERED.

ENTERED: January 27, 2010

          /s/ Robert L. Miller, Jr.

Chief Judge  
United States District Court

cc: L. Hardin  
F. Schaffer